

Appl. No. 09/836,017
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REMARKS

Claims 1-45, 50 and 52-53 are cancelled. Claims 46-49, 51 and 54-79 are withdrawn. Claims 80-89 are pending.

Claims 80 and 89 were objected to for not "clearly establishing how the deflection wire is connected to the distal end of the distal portion of the guidewire or stylet in the claim." Figure 3A and page 17, paragraph 20 to paragraph 5 of page 18 of the application describe the connection between the guidewire and the deflection wire. Applicant respectfully asserts that the claims adequately describe the present invention relative to application.

Claim 80 is directed to a "system for placing an electrical lead having an electrode assembly in a patient." The system comprises "a guidewire including a proximal portion and a distal portion, and a deflection wire; an electrode retention member adapted to temporarily couple the electrode assembly to the guidewire, the proximal portion extending proximal to the electrode retention member and the distal portion extending distal to the electrode retention member; a deflection wire disposed at the distal portion of the guidewire; and an elongate introducer including a lumen having a diameter sufficient to receive the proximal portion of the guidewire."

The claims were rejected under 35 U.S.C. § 103(a) based upon U.S. Patent No. 6,315,789 issued to Cragg or, alternatively, U.S. Patent No. 5,308,324 issued to Hammerslag et al. As previously explained in an interview held on May 4, 2005 with Examiner Ragonese, Cragg is directed to a system for anchoring medical devices. While Cragg discloses a guidewire 54, Cragg does not disclose both a deflection wire within the guidewire as in independent claim 80. Specifically, inner liner 70 or tubular liner 72 of Cragg clearly are not a deflection *wire*.

Additionally, the USPTO has not met its burden of proof for establishing that a skilled artisan would combine Cragg with Hammerslag. For example, Hammerslag actually teaches away from the claimed invention by incorporating


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its deflection wire 28 proximal to post 22, as shown in Figures 1-3 such that deflection wire 28 is not "disposed at the *distal portion* of the guidewire and coupled to a cap" as in claim 80. In view of the above remarks, withdrawal of the rejections and issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,

Date

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